

A1
cont
Sub B1
cont

2. (Amended) A ready to eat consumer food product as recited in claim 1 wherein said first beneficial component comprises between 1 to 25 percent by weight.

3. (Amended) A ready to eat consumer food product as recited in claim 1 wherein said second beneficial component comprises between 1 to 25 percent by weight.

Kindly cancel claim 4 without prejudice or disclaimer.

A2
Sub B1
Cont

5. (Amended) A ready to eat consumer food product as recited in claim 1 wherein said ready to eat consumer food product is a ready to eat meal.

Kindly cancel claim 6 without prejudice or disclaimer.

A3
Sub B1
Cont

7. (Amended) A ready to eat consumer food product as recited in claim 1 wherein said ready to eat consumer food product is a ready to eat cereal.

Kindly cancel claim 8 without prejudice or disclaimer.

Kindly cancel claim 9 without prejudice or disclaimer.

A4
Sub B1
Cont

10. (Amended) A ready to eat consumer food product as recited in claim 1 wherein said ready to eat consumer food product is a fruit snack.

Kindly cancel claim 11 without prejudice or disclaimer.

Kindly cancel claim 12 without prejudice or disclaimer.

Kindly cancel claim 13 without prejudice or disclaimer.

Kindly cancel claim 14 without prejudice or disclaimer.

AB 15. (Amended) A ready to eat consumer food product as recited in claim 1 wherein said ready to eat consumer food product is a bakery product.

16. (Amended) A ready to eat consumer food product as recited in claim 1 wherein said ready to eat consumer food product is a snack product.

Sub B Cont 17. (Amended) A ready to eat consumer food product for use in reducing LDL cholesterol levels, comprising;

at least a first soluble fiber component provided in an amount of approximately 1 to 3 grams per serving size having a first beneficial health effect selected from the group consisting of oat flour, oat bran, and beta-glucan;

at least a second sterol based component having a second beneficial health effect, which may be similar to said first beneficial health effect, said first soluble fiber component is provided in at least an equal amount to said second sterol component;

said at least first and second components provided in a particular ratio to create a ready to eat food product that delivers a health benefit of reducing LDL cholesterol levels.

Kindly cancel claim 18 without prejudice or disclaimer.

Kindly cancel claim 19 without prejudice or disclaimer.

20. (Amended) A ready to eat consumer food product for use in reducing total cholesterol levels, comprising;

at least a first soluble fiber component provided in an amount of approximately 1 to 3 grams per serving size having a first beneficial health effect selected from the group consisting of oat flour, oat bran, and beta-glucan;

at least a second sterol based component having a second beneficial health effect, which may be similar to but distinct in effect from said first beneficial health effect;

said at least first and second components provided in a particular ratio of one to another to create a ready to eat food product that delivers a health benefit of reducing total cholesterol levels.

REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Claims 1-3, 5, 7, 10, 15-17 and 20 remain pending.

The Examiner has rejected claims 1, 2, 17 and 20 under 35 U.S.C. 102(b) as being anticipated by See (US Pat. 5,747,464) for a disclosure of "a combination of beta-sitosterol and pectin" and that the "invention is related to a method for the reduction of serum cholesterol (Official Action at page 2)." The current rejection is believed by applicant to be moot in view of the present amendment.